



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

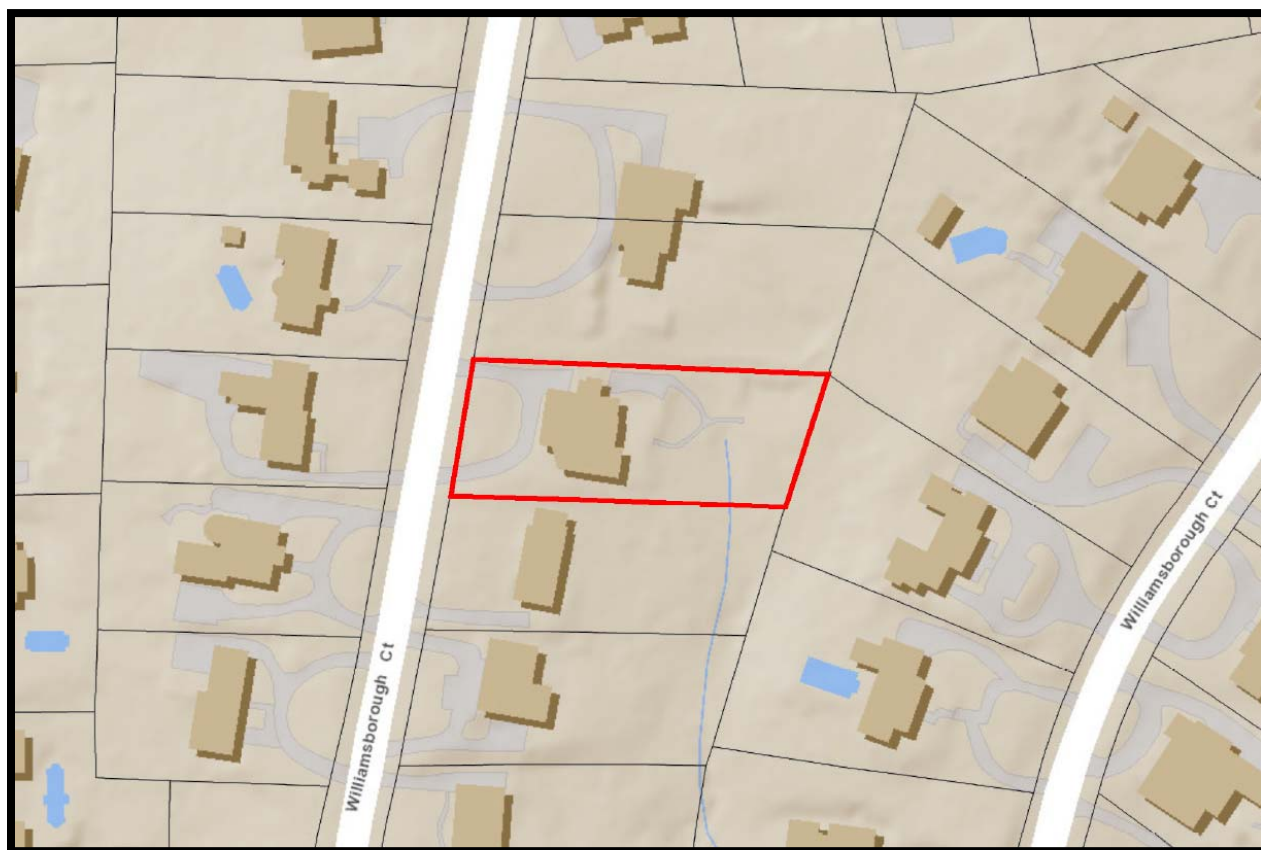
Case File: A-125-17

Property Address: 3713 Williamsborough Court

Property Owner: Paul and Laura Davidson

Project Contact: Isabel Mattox

Nature of Case: A request for a 4' side yard setback variance pursuant to the requirements set forth in Section 2.2.1. of the Unified Development Ordinance to accommodate an attached carport that results in a 6' side yard setback on a .68 acre parcel zoned Residential-4 and located at 3713 Williamsborough Court.



3713 Williamsborough Court – Location Map

To BOA: 11-13-17

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-4



3713 Williamsborough Court – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that

circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-4

Lot Dimensions

Area (min)	10,000 SF
Width – interior lot (min)	65
Width – corner lot (min)	80'
Depth -	100;'

Yard Type **Minimum Setback (Principal Bldg)**

Primary Street	20'
Side Street	15'
Side	10'
Sum of Sides	20'
Rear	30'

Yard Type **Minimum Setback (Accessory)**

Primary Street	50'
Side Street	20'
Side	5'
Rear	5'

Application for Variance



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (If more space is needed, submit addendum on separate sheet): SEE ATTACHED EXHIBIT A.	Transaction Number A-125-17
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

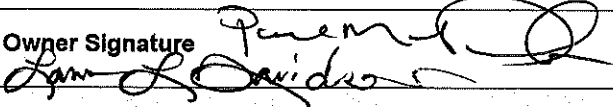

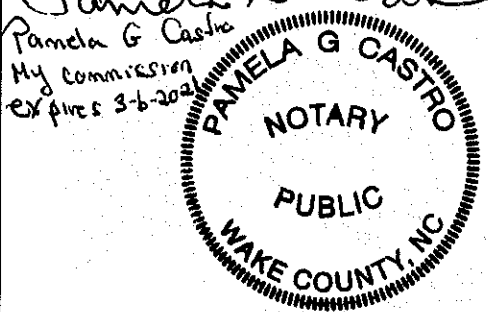
GENERAL INFORMATION		
Property Address 3713 Williamsborough Court	Date 10-13-2017	
Property PIN 1705-37-2486	Current Zoning R-4	
Nearest Intersection Old Lassiter Mill Rd. and Marlowe Rd.	Property size (in acres) 0.68 Acres	
Property Owner Paul Mark Davidson and Laura L. Davidson	Phone 919-349-2802	Fax
Owner's Mailing Address same as property address	Email	
Project Contact Person Isabel Worthy Mattox	Phone 919-828-7171	Fax 919-831-1205
Contact Person's Mailing Address PO Box 946, Raleigh, NC 27602	Email Isabel@mattoxfirm.com	
Property Owner Signature 	Email mdavidson@carolinainv.com	
Notary Sworn and subscribed before me this <u>12th</u> day of <u>October</u> , 20 <u>17</u>	Notary Signature and Seal  	

Exhibit A

Applicant requests a 4 foot variance in the 10-foot side setback requirement in the R-4 zoning district to accommodate an attached carport.

The hardship circumstances on which this request is based are as follows:

The topography of the lot, the location of the existing house on the lot and the existence of an encroachment of a brick wall from the neighbor's home to the west of the house create hardships for the Applicants in locating a carport on the lot without a variance.

Topography. The lot drops off severely to the rear from an elevation of approximately 304 on the front of the lot to less than 284 at the back. The rear of the house drops approximately 14 feet from approximately 294 to 284. The topography does not support installation of a longer driveway around the house and the construction of detached carport to the rear of the house and a carport located to the rear and down a steep drop off would not be accessible or functional for the Applicant's practical use.

Width of lot. The lot is approximately 110 feet wide and the house consumes approximately 79 of that width, leaving only 19 feet on one side and 11.7 on the other. The carport is 24 feet in width. The placement of the existing house on the lot does not leave sufficient space on either side of the house for a carport without a variance.

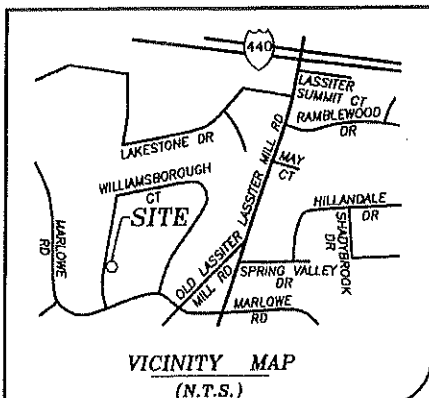
Encroachment. There is a brick wall on the west side of the house, which would prevent the placement of the carport on that side without forcing removal of the wall.

In addition the following mitigating factors exist:

Typical Side Yard Setback. The purpose of the side yard setback is to provide adequate spacing between homes. In R-4 districts a 10 foot side yard setback is required, but in R-6, R-10 and R-20 a 5 foot setback is required and obviously deemed an acceptable setback for residential properties. If this variance is granted, a 4 foot side yard setback would be maintained—just 11 inches shy of what is considered an acceptable side setback in most single family residential zoning districts.

Impervious Surfaces. A carport on the side of the house will require less impervious coverage, will require less grading and will allow more landscaping than one located to the rear of the house.

Neighbor Support. Neighbors of the Applicant support the requested variance.



LEGEND

- EXISTING IRON PIPE
- NEW IRON PIPE
- NAIL FOUND
- × COMPUTED CORNER
- POWER BOX
- TELE
- CATV
- ☆ UTILITY POLE
- UTILITY POLE
- ⊗ FIRE HYDRANT

NOTE:

THIS PROPERTY DOES NOT LIE WITHIN 2000' OF A N.C.G.S. MONUMENT.

THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND.

UTILITIES SHOWN ARE FOR REPRESENTATION ONLY AND NOT TO BE USED FOR PROPERTY LINE LOCATION

ALL CREEKS, EASEMENTS, BUFFERS, FLOOD LIMITS & SETBACKS TAKEN FROM BOM 1968, PG 4

BOM 1968, PG 4

FLOOD CERTIFICATION

THIS WILL CERTIFY THAT THE SUBJECT PROPERTY () IS or (X) IS NOT located in a SPECIAL FLOOD HAZARD AREA as determined by the Department of Housing and Urban Development, or as shown on the FLOOD INSURANCE RATE MAP.

370243 1705 J
COMMUNITY # PANEL SUFFIX

Jeffrey H. Davis, PLS
PROFESSIONAL LAND SURVEYOR

I, Jeffrey H. Davis, PLS, certify this map was drawn under my supervision from an actual survey made under my supervision; and that the error of closure as calculated by latitudes and departures is 1/10,000+; that the boundaries not surveyed are shown as broken lines plotted from information found in Book -; Page -; that this map was prepared in accordance with G.S. 47-30 amended.

Witness my original signature, registration number and seal this
10TH day of OCTOBER 2016.

PRELIMINARY PLAT, NOT FOR RECORDATION, CONVEYANCES, OR SALES
THIS PLAN MUST BE APPROVED BY ALL STATE AND LOCAL REVENUE AUTHORITIES FOR CONFORMANCE WITH SITE ZONING AND CODE OF ORDINANCES

Signed

SITE PLAN

WILLIAMSBOROUGH COURT
(50' R/W)

S 03°29'53" W 551.06'
TIE TO THE CENTERLINE
INTERSECTION OF WILLIAMSBOROUGH
COURT & MARLOWE ROAD

SITE PLAN CREATED 07-18-2017

PLAN INFORMATION BLOCK

Footprint:	Total Square Feet:
Crawl:	Slab:
Mean Height:	Stories:
Facade:	
Impervious Surface Area:	

SIGMON
CONSTRUCTION, INC

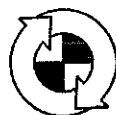
LOT 58, SECTION III
WILLIAMSBOROUGH
3713 WILLIAMSBOROUGH COURT
RALEIGH NORTH CAROLINA

DATE: 10-10-2016

SCALE: 1" = 40'

DWG. NO.

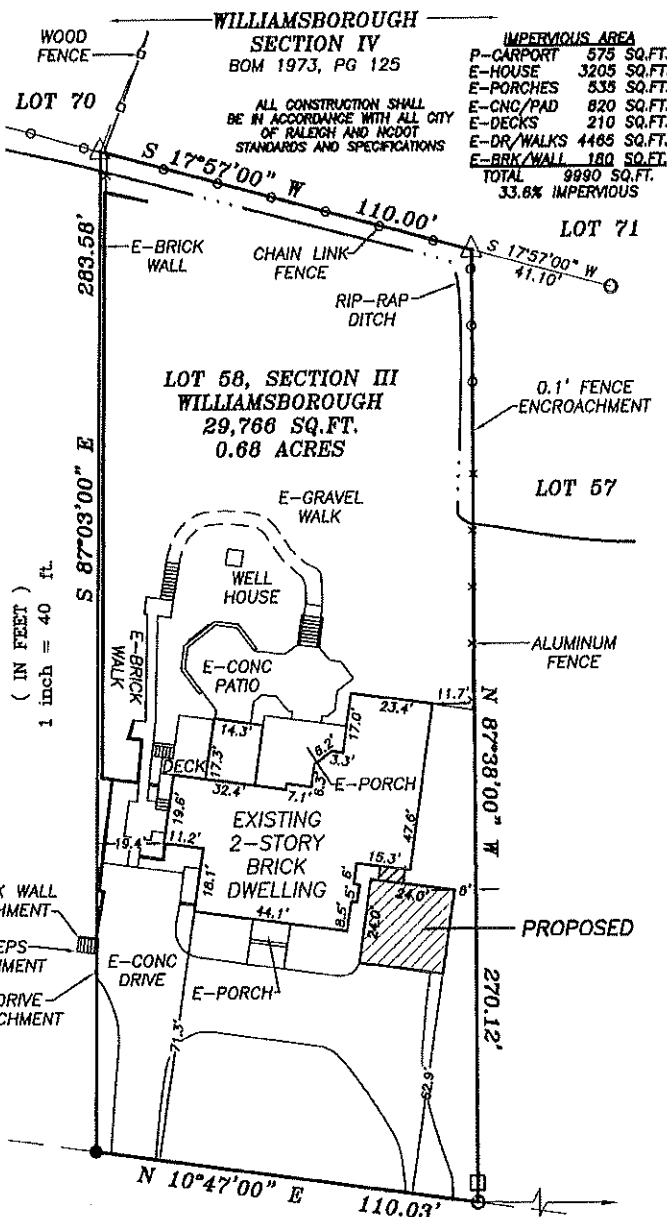
A-20850SITE



TURNING POINT
SURVEYING PLLC

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FAX (800)948-0213 PH (919)781-0234
License No: P-0121

C.N. = 24514-1
B.O.M. 1968
PAGE 4
CO. REG.



IMPERVIOUS AREA

P-CARPORT	575 SQ.FT.
E-HOUSE	3205 SQ.FT.
E-PORCHES	535 SQ.FT.
E-CNC/PAD	820 SQ.FT.
E-DECKS	210 SQ.FT.
E-DR/WALKS	4465 SQ.FT.
E-BRK/WALL	180 SQ.FT.
TOTAL	9990 SQ.FT.
	33.8% IMPERVIOUS

Davidson V 1071177

✓ 1705372486

✓ DAVIDSON, PAUL MARK DAVIDSON,
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WILLIAM A III
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